

Murray Code Enforcement Board Minutes
November 6, 2007

The Murray Code Enforcement Board met in regular session on November 6, 2007 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5th Street.

Board Members Present: Matt Jennings, Mitzi Key, and Sam Underwood

Board Members Absent: Ben Blakely and Thomas Rottinghaus

Others Present: David Roberts, Dannela Cossey, Officer Evan Timmons, and Officer David Townsend.

Sam Underwood made a motion to appoint Mitzi Key as Interim Chairperson for the meeting. Matt Jennings seconded the motion and it carried by a 3-0 voice vote.

Interim Chairperson Mitzi Key called the meeting to order and had an attendance roll call.

Approve Minutes from October 2, 2007 Meeting: Interim Chairperson Key asked for approval of the October 2, 2007 minutes. **Sam Underwood made a motion to approve the October 2, 2007 minutes. Matt Jennings seconded the motion and it carried by a 3-0 voice vote.**

Public Hearing – Bray Melson: Interim Chairperson Key called the public hearing to order and Dannela Cossey read the case information. Interim Chairperson Key asked if any board member had any direct or indirect financial or personal interest in any matter to be decided by the Board. All Board members said no. At this time, Officer Evan Timmons came forward and was sworn in. Officer Timmons stated he was dispatched to the 400 building of Murray Place on a noise complaint at 12:58 a.m. on September 28, 2007 and there were several people outside and he told them to go inside, quiet down, and stay inside for the rest of the night. Officer Svebakken was dispatched at 1:27 a.m. and loud music was coming from apartment 411. Officer Timmons said he was dispatched again at 2:00 a.m. and this is when the citation was issued. Interim Chairperson Key stated that the citation was appealed but the respondent was not present and closed the public hearing. **Sam Underwood made a motion ordering the Respondent, Bray Melson to pay a civil fine in the amount of \$100.00 to the City of Murray, Clerk's office, 104 North 5th Street, Murray, KY 42071 within thirty (30) days from the date of the order. Matt Jennings seconded the motion and it carried by a 3-0 roll call vote.**

Public Hearing – Nathan Penniston: Interim Chairperson Key called the public hearing to order and Dannela Cossey read the case information. Interim Chairperson Key asked if any board member had any direct or indirect financial or personal interest in any matter to be decided by the Board. All Board members said no. At this time, Officer David Townsend came forward and was sworn in. Officer Townsend said the resident in question is the bottom apartment at 400 South 16th Street. Officer Townsend stated since January 15, 2007,

the Police Department had received a total of six complaints of loud music from the residence so the resident had received numerous warnings. On October 5, 2007, Officer Townsend stated that he responded to two complains, one at 6:32 p.m. and the other at 8:11 p.m. which is when the citation was issued and he could clearly hear music from the roadway. At this time, Interim Chairperson Key stated that the respondent was not present and closed the public hearing. **Matt Jennings made a motion ordering the Respondent, Nathan Penniston to pay a civil fine in the amount of \$100.00 to the City of Murray, Clerk's Office, 104 North 5th Street, Murray, KY 42071 within thirty (30) days from the date of the order. Sam Underwood seconded the motion and it carried by a 3-0 roll call vote.**

Being no further business, Sam Underwood made a motion to adjourn.

Interim Chairperson, Mitzi Key

Recording Secretary, Dannetta Cossey